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LAURA C. HARGITT
General Motors Corporation
Legal Staff, Mail Code 482-C23-B21
P.O. Box 300
Detroit MI 48265-3000

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DEC 21 2005
OFFICE OF PETITIONS

In re Application of	:	
Joseph Patrick Fannon et al.	:	
Application No. 10/674,210	:	
Filed: September 29, 2003	:	DECISION ON PETITION
Attorney Docket No. GP-303156	:	UNDER 37 C.F.R. §1.181(A)
Title: CABLE END FITTING RETAINER	:	
ASSEMBLY	:	

This is a decision on the renewed petition under 37 C.F.R. §1.181(a) to withdraw the holding of abandonment, filed on December 9, 2005.

The above-identified application became abandoned for failure to file a proper response to the Restriction Requirement, mailed January 26, 2005, which set a shortened statutory period to reply for one (1) month. No extensions of time under the provisions of 37 CFR 1.136(a) were received. Accordingly, the above-identified application became abandoned on February 27, 2005. A Notice of Abandonment was mailed on August 22, 2005.

The original petition was submitted on September 1, 2005, and was dismissed via the mailing of a decision on November 9, 2005.

With the original petition, Petitioner included a response to the restriction requirement which contains a certificate of facsimile transmission which bears a date of February 3, 2005. With this renewed petition, Petitioner has included a statement under 37 C.F.R. §1.8(b)(3) which attests on a personal knowledge basis to the previous timely facsimile transmission.

Considering the facts and circumstances of the delay at issue, as set forth on petition, it is concluded that Petitioner has met her burden of establishing that a timely response was timely submitted, pursuant to 37 C.F.R. §1.8.

Accordingly, the petition under 37 C.F.R. §1.181(a) is **GRANTED**. The holding of abandonment is **WITHDRAWN**.

Technology Center 3600 will be notified of this decision.

Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225. All other inquiries concerning examination procedures or status of the application should be directed to the Technology Center.

A handwritten signature in black ink, appearing to read "Paul Shanowski".

Paul Shanowski
Senior Attorney
Office of Petitions
United States Patent and Trademark Office